

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SANTARUS, INC., a Delaware corporation,)
and THE CURATORS OF THE)
UNIVERSITY OF MISSOURI, a public)
corporation and body politic of the State of)
Missouri,)
Plaintiffs,)
v.) C.A. No. 07-551-GMS
PAR PHARMACEUTICAL, INC., a Delaware)
corporation,)
Defendant.)

**DECLARATION OF JOSEPH A. MAHONEY IN
SUPPORT OF PLAINTIFFS' MOTION TO DISMISS**

1. I am a partner at the law firm of Mayer Brown LLP, counsel of record for The Curators of the University of Missouri (the "University"). I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. The University is the owner of U.S. Patent Nos. 6,699,885 ("the '885 patent"); 6,489,346 ("the '346 patent"); 6,645,988 ("the '988 patent"); 6,780,882 ("the '882 patent"); and 5,840,737 ("the '737 patent").

3. Santarus, Inc. is the exclusive licensee of the '885 patent, '346 patent, '988 patent, '882 patent, and '737 patent.

4. On December 20, 2007, I caused an application to be filed with the Patent Office in which reissue of the '737 patent was sought, the claims were amended and new claims were submitted.

5. Other than the filing receipt, the University has not yet received any communication from the Patent Office with respect to the reissue application.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 22, 2008, at San Diego, CA.


Joseph A. Mahoney

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2008, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

Frederick L. Cottrell, III, Esquire
Steven J. Fineman, Esquire
RICHARDS, LAYTON & FINGER, P.A.

I further certify that I caused to be served copies of the foregoing document on February 22, 2008 upon the following in the manner indicated:

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*VIA ELECTRONIC MAIL
and HAND DELIVERY*

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/s/ James W. Parrett, Jr.

James W. Parrett, Jr. (#4292)